IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 30th day of October, 2006
Crl. Bail Application No. 1006 of 2006

Order on the Bail Application:
CRIMINAL SIDE

Kuldeep
R/o Village Bahreiki Saidabad
P.S. Jhabrera, District Haridwar

…….Applicants

Versus

State of Uttaranchal ….. Opposite Party

Arising out of Crime No. 66 of 2005
Under sections: 302 of IPC
Police Station: Jwalapur
District: Haridwar.

Hon'ble Prafulla C. Pant, J.

Heard Mr. Azim, learned counsel for the applicant Mr. Amit Bhatt, learned A.G.A. for the State.

Applicant Kuldeep, who is in jail in connection with crime No. 66 of 2005, relating to offence punishable under Section 302 of I.P.C., P.S. Jhabrera, District Haridwar, has sought his release on bail.

In para 12 of the affidavit filed with the bail application, a plea of alibi has been taken on behalf of the present applicant, that he was not in the village, on the date of incident Annexure-5 to the affidavit filed with the bail application shows that the main accused Munesh has revealed to the police that he and his wife caused injuries on the person of the deceased in self defence, as the deceased molested his wife pinki. In his statement (Annexure-5 to the bail application) the main accused Munesh says that his brother (applicant) has done nothing.

Without expressing any opinion as to the final merits of the case, this Court is of the view that the present applicant deserves bail.

Let the applicant Kuleep be released on bail on his executing a personal bond and furnishing tow sureties each of the like amount to the satisfaction of the chief judicial Magistrate Haridwar.

(Prafulla C. Pant, J.)

Dt. 30.10.2006
H.Negi.